

Application No.: 10/777,562  
Response dated: April 3, 2006  
Reply to Office Action February 2, 2006

### **REMARKS**

Reconsideration of the present claims, in light of the attached claim clarifications and the Remarks, which follow, is respectfully requested.

Claims now before the Examiner are 1-45. Claims 1-15 are based on claims 1-15 of the issued patent. Claims 16-45 are new

The numbering in this Response will follow that of the Examiner's Action.

#### **Non-Compliance**

1. Concurrently with this Paper, Applicants are resubmitting a declaration by the Assignee, with a more specific discussion of the error which leads to the filing of this Reissue Application.
2. The Examiner objects to claims 16-45. In an Interview with the Examiner 3.27.06, the Examiner suggested resubmitting these claims, as they had not been previously entered. Accordingly, as suggested by the Examiner, they are designated "New", as requested.
3. & 4. The amendment to the specification is Objected to as new matter, because, in the Examiner's opinion, the Specification does not indicate that the M of Formula I and II can be different from the M of Formula III. Applicants do not agree. In the specification both Examples 3 and 5, at columns 21 & 22, lines 35-53 & 8-247, respectively the metal of the Group 15 containing catalyst compound and the metal of the metallocene is different, supporting these amendments to the Specification.
5. & 6. The Examiner states that Applicants must indicate how claims 16-45 differ from claims (patented) 1-15.

New claim 16 further and more specifically defines the metallocene of claims 1, 4 or 5.

New claim 17 further defines the metal of the metallocene of claim 16.

1999U027.RE.US.1.116.4.3.06.doc

- 22 -

Application No.: 10/777,562  
Response dated: April 3, 2006  
Reply to Office Action February 2, 2006

New claim 18 further defines the molar ration of the two catalysts of claim 1.

New claim 19 defines the molar ration of the two catalysts of claim 1.

New claim 20 further defines the Group 15 containing hafnium compound and metallocene compound and process of claim 1.

New claim 21 further defines the activator of claim 15, and by incorporation, claim 1.

New claim 22 further defines the olefin(s) of claim 21, and by incorporation, claims 1 and 15.

New claim 23 further defines the olefin(s) of claim 20 and by incorporation, claim 1.

New claim 24 further defines the olefin(s) of claim 22, and by incorporation, claims 21, 15 and 1.

New claim 25 further defines the olefin(s) of claim 22, and by incorporation, claims 20, 15 and 1.

New claim 26 further defines the Group 15 containing hafnium compound of claims 1 or 20.

New claim 27 further defines the Group 15 containing hafnium compound of claim 16 and by incorporation, claims 1, 4 or 5.

New claim 28 further defines the Group 15 containing hafnium compound of claim 16 and by incorporation, claims 1 or 20.

New claim 29 further defines the Group 15 containing hafnium compound of claim 16.

New claim 30 further defines a polymer produced by the claimed process of claims 1 or 20.

New claim 31 is an independent claim more specifically defining the structure of the hafnium compound and the metallocene compound than claim 1.

New claim 32 further defines the physical embodiment of the catalysts, activators and support of claim 31.

New claim 33 is an independent claim more specifically defining the structure of the metallocene compound than claim 1.

Application No.: 10/777,562  
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New claim 34 further defines the physical embodiment of the catalysts, activators and support of claim 33.

New claim 35 further defines the hafnium compound of claim 33.

New claim 36 further defines olefin(s) of claim 35, and by incorporation, claims 33, 1 or 20.

New claim 37 further defines a molar ratio of hafnium compound and metallocene compound of claim 36, and by incorporation, claim 35, and also adds additional compounds to the process.

New claim 38 further defines the process of claim 36 and by incorporation claim 35.

New claim 39 is an independent claim more specific than claim 1 by defining the Group 15 compound as a tridentate hafnium compound.

New claim 40 further defines the activator and defines the methods of joining the catalysts to a support of claim 39.

New claim 41 further defines the olefin(s) of claim 40, and by incorporation, claim 39 and also further defines a polymer produced by the claimed process of those claims.

New claim 42 further defines the metallocene catalyst compound of claim 41 and by incorporation, claim 39.

New claim 43 further defines the hafnium compound of claim 42 and by incorporation, claims 39 and 41.

New claim 44 describes a molar ration of hafnium compound to metallocene compound and also adds additional compounds to the process of claim 43, and by incorporation, claims 39 and 41.

New claim 45 further defines the physical embodiment of the catalysts, activators and support of claim 44.

All of the Examiner's Objections directed to non-compliance issues have been addressed. Withdrawal of the Objections is respectfully requested.

7. The verbiage of this paragraph states that the Examiner may make a restriction, but does not appear to Applicants that a restriction is actually made. Clarification is

1999U027.RE.US.1.116.4.3.06.doc

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respectfully requested. The Examiner further states that the invention of claims 1-45 are considered patentably distinct from the patented claims 1-15, and that the "invention of instant claims 1-45 is drawn to preparation of emulsion or a suspension..." Applicants do not understand any part of this paragraph. first, the statement of the claims over-laps, that is originally patented claims 1-15 are included in those "patentably distinct" from "the patented claims 1-15", and second there is no "emulsion" used in any of the claims and "suspension" is used only in reference to how the catalysts might be added to a polymerization reactor. Applicants believe that all the new claims are to either the same or similar subject matter as the now amended originally issued patent claims. And Applicants further believe that none of the new claims is broader than the amended original 15 claims. Clarification and removal of this requirement is respectfully requested.

Application No.: 10/777,562  
Response dated: April 3, 2006  
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8.-9. No response necessary.

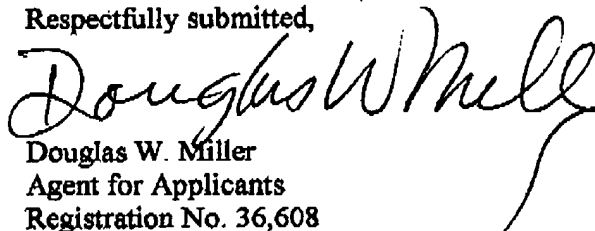
The claims are in condition for allowance.

Note is made that the correspondence should be sent to:

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Respectfully submitted,



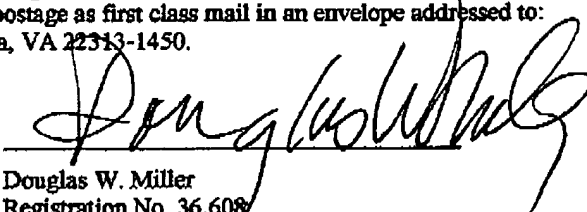
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 3, 2006  
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